



PATENT  
Attorney Docket 057309-5019-US03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jim E. CUTLER *et al.*

Application No.: 10/073,868

Filed: February 14, 2002

Group Art Unit: 1642

Examiner: Anne Holleran

For: **Peptides Which Mimic Candida Carbohydrate Epitopes and Their Use in a Vaccine**

U.S. Patent and Trademark Office  
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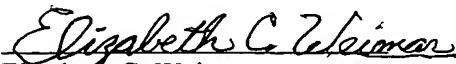
**LETTER RE COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR § 1.821-1.825**

In response to the Communication from the Examiner dated October 5, 2004, Applicants hereby submit a Statement Accompanying Sequence Listing, a computer readable copy of the sequence listing, a paper copy of the sequence listing, and an amendment for entry of sequence identifiers into the specification. The content of the paper and computer readable copies are the same and include no new matter.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit

Dated: **November 10, 2004**  
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Washington, D.C. 20004  
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Respectfully submitted  
Morgan, Lewis & Bockius LLP

  
Elizabeth C. Weimar  
Registration No. 44,478



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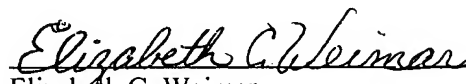
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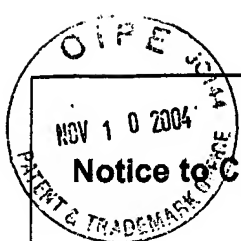
**STATEMENT ACCOMPANYING SEQUENCE LISTING**

The undersigned hereby states upon information and belief that the Sequence Listing submitted herewith does not include matter which goes beyond the content of the application as filed and that the information recorded on the diskette (CRF) submitted herewith is identical to the paper copy of the Sequence Listing submitted concurrently herewith.

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# Notice to Comply With Sequence Rules

Application No.

10/073,868

Examiner

Anne Holleran

Applicant(s)

CUTLER ET AL.

Art Unit

1642

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 8230, May 1, 1990.

☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

☐ 3. A copy of the "Sequence Listing" in Computer Readable Form (CRF) has not been submitted as required by 37 C.F.R. 1.821(e).

☐ 4. A copy of the "Sequence Listing" in Computer Readable Form (CRF) has been submitted. However, the content of the CRF does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

☐ 5. The Computer Readable Form (CRF) that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute CRF must be submitted as required by 37 C.F.R. 1.825(d).

☐ 6. The paper copy of the "Sequence Listing" is not the same as the Computer Readable Form (CRF) of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

☒ 7. Other: Additionally, sequences in the claims are not identified with sequence identifiers.

### Applicant Must Provide:

☒ An initial or substitute copy of the CRF "Sequence Listing".

☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

☒ A statement that the content of the paper and CRF copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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